

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

THOMAS E. EDWARDS,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. 2:11-CR-00229
JUDGE GREGORY L. FROST
MAGISTRATE JUDGE KEMP

OPINION AND ORDER

On July 31, 2014, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 be dismissed, and that Petitioner's *Motion for Default Judgment*, *Motion for a Copy of Documents*, and *Motion to Grant Rule 60(b)*, Doc. Nos. 103, 108, 109, be denied. On August 29, 2014, Petitioner filed what he terms as a "Reason Before the Courts to Reconsider Motion to Amend Sentence." Doc. No. 113. This Court broadly construes that motion as an objection to the Magistrate Judge's *Report and Recommendation*.

That said, however, nothing in Petitioner's motion suggests that any of the Magistrate Judge's recommendations are in error. To the extent that Petitioner intended his motion as an independent filing rather than as an objection to the Magistrate Judge's *Report and Recommendation*, he is free to re-file his motion to so indicate.

Pursuant to 28 U.S.C. § 636(b), this Court has conducted a *de novo* review. For the reasons addressed in the Magistrate Judge's *Report and Recommendation*, Petitioner's objections, Doc. No. 113, are **OVERRULED**. The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. Petitioner's *Motion for Default Judgment*, *Motion for a Copy of Documents*,

and *Motion to Grant Rule 60(b)*, Doc. Nos. 103, 108, 109, are denied. The motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 (Doc. No. 81) is **DENIED**. This action is hereby **DISMISSED**.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
United States District Judge